

AMENDED

BROKEN ARROW CITY COUNCIL

**AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
August 18, 2009
6:30 PM**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of regular meeting minutes of August 4, 2009
 - B. Acceptance of minutes of the Planning Commission meeting held July 23, 2009.
 - C. Approval of Budget Amendment Number 4 for Fiscal Year 2009-2010
 - D. Approval of Contract for Public Improvements for Community Development Block Grant-Recovery Program for Funding the Construction Contract for Downtown Intersection Streetscape Improvements- Phase II (ST0919- Main Street and Commercial and Main Street and Dallas Intersections)
 - E. Approval of Resolution No. 607 casting a ballot for Jim Lockett, Jr. as Trustee at Large for the Oklahoma Municipal Retirement Fund.
 - F. Approval of Resolution No. 608 of the Council of the City of Broken Arrow, Oklahoma, establishing the Wireline Nine-One-One (911) Emergency Telephone Fee, Retroactive to September 1, 2005, of Five Percent (5%) for calendar years 2006, 2007, 2008, and 2009, pursuant to State Statute and Ordinance, and Ratifying all fees collected and services provided and establishing the fee for calendar year 2010
 - G. Approval of a special event permit for the Broken Arrow High School annual homecoming parade on Thursday, September 24, 2009 at 4:00PM
 - H. Approval of a Workers' Compensation Claim for City Employee, Lela Fox
 - I. Approval of bids received and award of the most advantageous bid for a construction contract for Asphalt Concrete Street Mill and Overlay in Copper Creek Subdivision
 - J. Approval of bids received and award of the most advantageous bid for a construction contract for downtown intersection streetscape improvements - phase II (ST0919 - Main Street at Commercial and Main Street Dallas intersections) and authorize Mayor to execute Budget Amendment Number 5 for Fiscal Year 2009-2010

- K. Approval of bids received and award of the most advantageous bid for a construction contract for 9th Street Widening from Albany to Omaha
- L. Approve partial award of bid to and purchase of PPE boots from Janesville through a shared FEMA Grant
- M. Approve partial award of bid to and purchase of PPE coat, pants, hood, suspenders, helmet, and gloves from Wayest Safety through a shared FEMA grant.
- N. Approval to reject Bid Number 10.101 for police ammunition because the bid received exceeds the Police Department's budget for ammunition by \$14,225.00, and due to changes to be made in request to come within budget
- O. BAZ 1830, Rhema Bible Church, 0.92 acres, 1 lot, IL to CH, one-eighth mile east of Aspen Avenue (145th East Avenue), south of Kenosha street (71st Street).
- P. BAZ 1836, 0.99 acres, 1 lot, AR-1 and A-1 to RS-3, south of New Orleans Street (101st Street), one-half mile east of 9th Street (Lynn Lane/177th East Avenue).
- Q. Acceptance of a Deed of Dedication and two (2) Utility Easements from Cameron Investment Corporation (S31T19N R15E) (Project: BAZ 1755 Plat Waiver)
- R. Acceptance of Public Improvement - Wolf Creek Elementary Water Line/Fire Line
- S. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

- A. Proclamation: Recognition of Janice Fraley's 26 years of service with Salvation Army Boys & Girls Club

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services

9. General Council Business

- A. Approval of bids received and award of the most advantageous bid for an Electronic Ticket writing solution
- B. Approval of the Fiscal Year 2009-10 Labor Agreement Between the Communication Workers of America District 6 and the City of Broken Arrow
- C. Approval to Issue a 1% Stipend Payment to All Non-Union Employees
- D. Approval of appointment of James Gordon to the Convention and Visitors' Bureau

10. City Manager's Report

- A. None

11. Preview Ordinances

- A. None

12. Ordinances

- A. Ordinance 3049 - An ordinance amending the Broken Arrow Code by amending Sec. 23-91, enabling prosecution for the driving, operating, or being in actual physical control of a motor vehicle while under the influence of alcohol on private or on public property within the city limits of Broken Arrow, repealing all ordinances to the contrary and declaring an emergency.
- B. Ordinance 3050 - An ordinance amending Chapter 23, Article II, Section 23-93 of the Broken Arrow Code pertaining to Persons under age 21 driving under the influence of alcohol or other intoxicating substances; repealing all ordinances to the contrary; and declaring an emergency.
- C. Ordinance 3051 - An ordinance amending Section 2-171 of the Broken Arrow Code pertaining to Grievance Procedure; repealing all ordinances to the contrary; and declaring an emergency
- D. Ordinance 3052 - An ordinance amending Chapter 2, Section 2-169 of the Broken Arrow Code pertaining to Separations; repealing all ordinances to the contrary; and declaring an emergency
- E. Adoption of Ordinance No. 3053 amending the Zoning Ordinance of the City of Broken Arrow, Oklahoma (Ordinance No. 2931), approving BAZ-1755, granting I-H zoning to be placed upon the tract, except for 2.1016 acres to be designated FD, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications between the City Council, the Acting City Manager and the City's Attorney for the purpose of conferring on a settlement offer in the case of City of Broken Arrow v. Kenco Properties, Inc., Tulsa County District Court Case Number CJ-2009-990; under 25 O.S. § 307(B)(4). The Council is advised that disclosure will seriously impair the ability of the public body to process this pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

15. Adjournment

NOTICE:

All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

Exhibits, petitions, pictures, etc., presented to the authority shall be received and deposited in case files to be kept at the Broken Arrow City Hall.

If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, 2009, at _____ a.m./p.m.

City Clerk